

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 13079 of Scott H. Lang, pursuant to Paragraph 8207.11 of the Zoning Regulations, for variances from the rear yard requirements (Sub-section 3304.1) and the side yard requirements (Sub-section 3305.1) to construct a rear addition to a detached single family dwelling in an R-1-B District at the premises 3816 Windom Place, N.W., (Square 1833, Lot 35).

HEARING DATE: October 24, 1979

DECISION DATE: October 24, 1979 (Bench Decision)

FINDINGS OF FACT:

1. The subject property is located on the south side of Windom Place between 38th and 39th Street, N.W. and is known as 3816 Windom Place, N.W. It is in an R-1-B District.

2. The subject site is 4,575 square feet in area and is improved with a two story frame detached single family dwelling and garage. The garage is located approximately 10.2 feet from the rear of the dwelling.

3. The existing rear two story porch and the garage are in deteriorated condition. The applicant proposes to upgrade the existing porch and join it with the garage. The roof of the garage will be scaled down and a sundeck created thereon.

4. As the house presently exists it is in conformance with the required side yard requirements of the Zoning Regulations. When the house is attached to the garage it will form one building, the side yard of which will be 7.3 feet wide. A side yard variance of 0.70 feet is thus required.

5. The Zoning Regulations require a twenty-five foot rear yard in an R-1-B District. The existing garage is four feet from the rear lot line and is located in the rear yard. A variance of twenty-one feet is required for the proposed rear addition where the garage is attached to the main building and becomes part of one building. There will be no reduction in the present distance between the rear of the garage and the rear lot line.

6. There was no opposition to the application.

7. Advisory Neighborhood Commission 3F, by letter of October 23, 1979, stated that it had no objection to the granting of the variance.

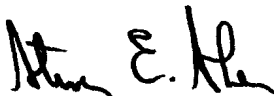
CONCLUSION OF LAW:

Based on the record the Board concludes that the applicant is seeking area variances the granting of which requires a showing of a practical difficulty stemming from the property itself. The Board concludes that the location of the existing garage creates the practical difficulty. The garage is to remain as now located. The proposed addition will not alter the existing four foot distance between the garage and the rear lot line nor cause the lot occupancy to exceed forty percent. The side yard variance of 0.70 feet is minimal. The Board further concludes that the variances can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose and integrity of the zone plan. Accordingly, it is ORDERED that the application is GRANTED.

VOTE: 3-0 (Walter B. Lewis, William F. McIntosh and Leonard L. McCants to grant, Charles R. Norris and Chloethiel Woodard Smith not present, not voting).

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY:


STEVEN E. SHER
Executive Director

FINAL DATE OF ORDER: 7 DEC 1979

UNDER SUB-SECTION 8204.3 OF THE ZONING REGULATIONS "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE BEFORE THE BOARD OF ZONING ADJUSTMENT."

THIS ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER, UNLESS WITHIN SUCH PERIOD AN APPLICATION FOR A BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY IS FILED WITH THE DEPARTMENT OF LICENSES, INVESTIGATIONS, AND INSPECTIONS.